

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

MARGARET P. BYERS, *et al.*,

Plaintiffs,

v.

Civil Action No.: 3:23cv801 (RCY)

CITY OF RICHMOND, *et al.*,

Defendants.

NOTICE OF APPEAL

Notice is hereby given that Defendant Gordon J. Painter (“Corporal Painter”) appeals to the United States Court of Appeals for the Fourth Circuit from an Opinion and Order denying his Motion to Dismiss (ECF Nos. 90 and 91) entered in this action on January 13, 2025 (ECF Nos. 139 and 140). The Court denied Corporal Painter’s Motion to Dismiss with respect to the excessive force claim in Count III and the willful and wanton conduct claim in Count V. Corporal Painter’s Motion to Dismiss was based on the defense of qualified immunity, the denial of which is a final appealable decision. Mitchell v. Forsyth, 472 U.S. 511 (1985).

CORPORAL GORDON PAINTER

By: /s/ Andrew J. Fulwider
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CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of January, 2025, I electronically filed the foregoing Notice of Appeal with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

By: /s/ Andrew J. Fulwider
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